

**RESOLUTION NO. 534 -2011, AMENDING RESOLUTION NO. 1378-2007, AMENDING THE ADOPTED 2007 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH AN AQUATIC INVASIVE/NUISANCE SPECIES ERADICATION IN CANAAN LAKE, N. PATCHOGUE AND UPPER AND LOWER LAKES, YAPHANK (CP 8710)**

**WHEREAS**, Resolution No. 1378-2007 authorized the County to transfer funds from Fund 477, Water Quality Reserve Fund Balance, to the County's Capital Budget, in connection with an Aquatic Invasive/Nuisance Species Eradication in Canaan Lake, N. Patchogue and Upper and Lower Lakes, Yaphank (CP 8710); and

**WHEREAS**, the resolution provided funding for planning and construction for this project; and

**WHEREAS**, the Suffolk County Department of Environment and Energy has hired a consultant to conduct a Feasibility Study to Eradicate Aquatic Invasive/Nuisance Species in Canaan Lake, North Patchogue and Upper and Lower Lakes, Yaphank, using the funds approved by Resolution No. 1378-2007 with respect to planning/engineering; and

**WHEREAS**, the report from the Feasibility Study to Eradicate Aquatic Invasive/Nuisance Species in Canaan Lake, North Patchogue and Lower Lakes, Yaphank, determined the need for toxic sediment tests for the three lakes subject to the study, in order to receive the respective permits from the New York State Department of Environmental Conservation for the implementation of the recommendations given in the report; and

**WHEREAS**, additional funding is necessary for planning to allow implementation of the full plan; and

**WHEREAS**, there exists enough funding in the construction phase of this project to cover the necessary additional planning cost; and

**WHEREAS**, it is necessary to amend Resolution No. 1378-2007 by re-appropriating \$50,000 from construction to planning; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration; and be it further

**2<sup>nd</sup> RESOLVED**, that the 6<sup>th</sup> RESOLVED clause of Resolution No. 1378-2007 is hereby amended by reducing the appropriation for construction by \$50,000, and increasing the appropriation for planning by \$50,000 as follows:

**6<sup>th</sup> RESOLVED**, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710

Project Title: Water Quality Protection-Aquatic Invasive/Nuisance Species Eradication  
In Canaan Lake, N. Patchogue, and Upper and Lower Lakes, Yaphank

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget &amp; Program</u>	<u>Revised 2007 Capital Budget &amp; Program</u>
1. Planning/Engineering	[\$1,757,000] <u>\$1,807,000</u>	\$0	[\$200,000W] <u>\$250,000W</u>
3. Construction	[\$720,000] <u>\$670,000</u>	\$0	[\$50,000W] <u>\$0</u>
TOTAL	\$250,000	\$0	\$250,000

and be it further

**3<sup>rd</sup> RESOLVED**, that the 7<sup>th</sup> RESOLVED clause of Resolution No. 1378-2007 is hereby amended as follows:

**7<sup>th</sup> RESOLVED**, that the transfer in the amount of \$250,000 be and hereby is appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.124	50	Planning/Engineering for Aquatic Invasive/Nuisance Species Eradication In Canaan Lake, N. Patchogue and Upper and Lower Lakes, Yaphank, and an evaluation of options to restore fish passage at the Upper and Lower Lakes	[\$200,000] <u>\$250,000</u>

<u>[Project No.]</u>	<u>[JC]</u>	<u>[Project Title]</u>	<u>[Amount]</u>
[525-CAP-8710.317]	[50]	[Implementation (vegetation eradication) for Aquatic Invasive/ Nuisance Species Eradication In Canaan Lake, N. Patchogue and Upper and Lower Lakes, Yaphank]	[\$50,000]

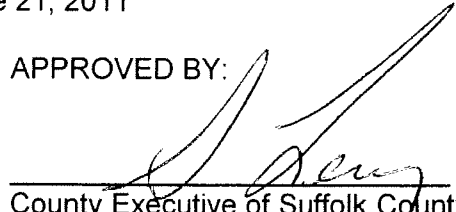
and be it further

**4<sup>th</sup>**            **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to effectuate the associated cash transfers for this capital project.

[    ] Brackets denote deletion of existing language  
\_\_\_\_ Underlining denotes addition of new language

DATED: June 21, 2011

APPROVED BY:

A handwritten signature in black ink, appearing to be "D. Henry", is written over a horizontal line.

County Executive of Suffolk County

Date:            **JUL 0 6 2011**

SUFFOLK COUNTY  
County Legislature  
RIVERHEAD, NY



*This is to Certify That I*, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on June 21, 2011 and that the same is a true and correct transcript of said resolution and of the whole thereof.

*In Witness Whereof*, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

A handwritten signature in cursive script that reads "Tim Laube".

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Clerk of the Legislature

Intro. Res.

1521

Res. No.

534

June 21, 2011

**Motion:**

Romaine, Schneiderman, Browning, Muratore, Anker  
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore, Anker  
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
6	Sarah S. ANKER					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	18				

**MOTION**☒ Approve

Table: \_\_\_\_\_

Send To Committee

Table Subject To Call

Lay On The Table

Discharge

Take Out of Order

Reconsider

Waive Rule \_\_\_\_\_

Override Veto

Close

Recess

APPROVED ☒ FAILED \_\_\_\_\_

No Motion \_\_\_\_\_ No Second \_\_\_\_\_

**RESOLUTION DECLARED**☒ ADOPTED

NOT ADOPTED \_\_\_\_\_



Tim Laube, Clerk of the Legislature

Roll Call \_\_\_\_\_ Voice Vote ☒